

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHADWICK MCQUEEN AND THE
TERRY MCQUEEN TESTAMENTARY
TRUST,

Plaintiffs,

-against-

CLOTHING COMPANY S.P.A.,
BELSTAFF USA CORP. AND
BELSTAFF INTERNATIONAL LTD.

Defendants.

CIV. NO. 08-3019 (LTS)(RLE)

**DECLARATION OF FRANCO
MALENOTTI IN SUPPORT
OF BELSTAFF INTERNATIONAL, LTD.'S
MOTION TO DISMISS FOR
LACK OF PERSONAL JURISDICTION
(FRCP 12(b)(2))**

I, FRANCO MALENOTTI, declare as follows:

1. I am the Director of defendant BELSTAFF INTERNATIONAL LTD. ("BIL"). I make this declaration on my own personal knowledge and based on my review of records of BIL maintained in the ordinary course of its business. The facts set forth below are true and correct as of the date hereof and, to the best of my knowledge, are true and correct for the period since at least June 14th, 2004.
2. BIL is a corporation organized under the laws of the United Kingdom, with a registered office in London, England. BIL's business is the management of the "BELSTAFF" store located in London, England. BIL conducts its business activities **only** in the United Kingdom.
3. BIL does not manufacture any of the products that it sells.
4. BIL does not have any business establishments in the United States. BIL sells "BELSTAFF"™ brand products only in the United Kingdom and does not make, sell or offer for sale in the United States or import into the United States any products whatsoever.
5. BIL has no and has had no office or phone number in the United States, and has no officers, agents or employees working for it in the United States. The company does not own or lease real or personal property in the United States.
6. BIL is not registered to do business in any state of the United States. BIL has no bank accounts in the United States. BIL has never applied to the United States, the State of New York or any other state for a license or permit of any kind. BIL has not directed any advertising or marketing efforts at the United States, nor has it ever maintained a booth or sales presence at any trade show in the United States.
7. BIL does not have its own public website.
8. BIL has never been a party to any legal proceedings in federal or state courts located in the United States.
9. Although I do not speak or read English, this declaration has been translated to me before signing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on May 13th 2008.

Franco Malenotti
Franco Malenotti

CERTIFICATE OF SERVICE

I, Jonathan A. Selva, hereby certify that on May 15, 2008, I electronically filed the foregoing: *Rule 7.1 Statement of Clothing Company S.p.A.; Answer of Clothing Company S.p.A.; Rule 7.1. Statement of Belstaff International, Ltd.; Notice of Motion and Motion of Belstaff International, Ltd. to Dismiss for Lack of Personal Jurisdiction (FRCP 12(b)(2)); Declaration of Franco Malenotti in Support of Belstaff International, Ltd.'s Motion to Dismiss for Lack of Personal Jurisdiction (FRCP 12(b)(2)); and, Belstaff International, Ltd.'s Memorandum of Law in Support of Motion to Dismiss for Lack of Personal Jurisdiction* with the Clerk of the Court using CM/ECF. I also certify that the foregoing documents are being served this day on the following counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF:

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Dated: New York, New York
 May 15, 2008

/s/ Jonathan A. Selva
Jonathan A. Selva (JS-2006)

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